



STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

Amended License for Diversion and Use of Water

APPLICATION 16124
Page 1 of 9

PERMIT 10137

LICENSE 7543

THIS IS TO CERTIFY, That

Monterey County Water Resources Agency
P.O. Box 930
Salinas, CA 93902

has the right to the use of the waters of **Nacimiento River** in **San Luis Obispo County**

tributary to **Salinas River**

for the purpose of **Municipal, Domestic, Industrial, Irrigation, and Recreational uses.**

Amended License 7543 supersedes the license originally issued on **November 4, 1965**, which was perfected in accordance with the laws of California, the Regulations of the State Water Resources Control Board (State Water Board), or its predecessor, and the terms of **Permit 10137**. The priority of this right dates from **November 4, 1954**. Proof of maximum beneficial use of water under this license was made as of **August 6, 1964**.

The amount of water to which this right is entitled and hereby confirmed is limited to the amount actually beneficially used for the stated purposes and shall not exceed **three hundred fifty thousand (350,000) acre-feet per annum to be collected from October 1 of each year to July 1 of the succeeding year. The maximum withdrawal in any one year shall not exceed 180,000 acre-feet.**

The capacity of the reservoir covered under this license and license issued pursuant to Permit 21089 (Application 30532) shall not exceed 377,900 acre-feet.

This license does not authorize collection of water to storage outside the specified season to offset evaporation and seepage losses or for any other purpose.

THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:

Nacimiento Dam - By California Coordinate System of 1983, Zone 5, North 2,475,554 feet and East 5,705,620 feet, being within NE¼ of NW¼ of Section 15, T25S, R10E, MDB&M.

THE POINT OF REDIVERSION OF SUCH WATER IS LOCATED:

Salinas River Diversion Facility (SRDF) - By California Coordinate System of 1983, Zone 4, North 2,152,792 feet and East 5,755,485 feet, being within SW¼ of SE¼ of Section 16, T14S R2E, MDB&M.

A DESCRIPTION OF THE LANDS OR THE PLACE WHERE SUCH WATER IS PUT TO BENEFICIAL USE IS AS FOLLOWS:

Municipal, Domestic, Industrial, and Irrigation uses within: (1) 200,000 acres net within a gross area of 240,000 acres in Monterey County; (2) 500 acres of irrigated agriculture and 7,000 acres of urban and suburban lands within the San Luis Obispo County Flood Control and Water Conservation District as shown on map dated June 8, 1967; and (3) 421,425 acres comprising Monterey County Water Resources Agency (MCWRA) Zone 2C as shown on map dated August 14, 2008, all filed with the State Water Board. Recreational use at Nacimiento Reservoir within San Luis Obispo County, also shown on a map dated August 14, 2008, filed with the State Water Board.

This license shall not be construed as conferring upon the licensee the right of access to the point of diversion.

(0000022)

If it is determined after license issuance that the conditions of the project are not correctly represented by the map(s) prepared for this license, the licensee shall, at his expense, have the subject map(s) updated or replaced with equivalent as-built map(s). The revision(s) or new map(s) shall be prepared by a civil engineer or land surveyor registered or licensed in the State of California and shall meet the requirements prescribed in section 715 and sections 717 through 723 of the California Code of Regulations, Title 23. The revision(s) or map(s) shall be furnished upon request of the Chief of the Division of Water Rights.

(0000030)

Licensee shall maintain such records of stream flow, well levels and groundwater storage as are required by the State Water Board so as to determine the amount stored underground and extracted thereafter, and such records shall be submitted to the State Water Board on request. Submissions may be made to the Board electronically.

Licensee shall maintain devices, satisfactory to the Chief of the Division of Water Rights, to measure the quantities of water placed in underground storage, and water subsequently recovered for beneficial use.

(0080117)

This license is subject to the agreement dated October 19, 1959, between San Luis Obispo County Flood Control and Water Conservation District and MCWRA (formerly known as Monterey County Flood Control and Water Conservation District)

FLOW PRESCRIPTIONS FOR HABITAT MAINTENANCE

Criteria for Determining Water-Year Type

For purposes of applying the flow prescriptions, water year types are defined based on indexing the record of unimpaired mean annual flows at the United States Geological Survey (USGS) streamflow gage No. 11152000 (Arroyo Seco near Soledad). The mean annual flows were ranked in descending order to obtain exceedance probability based on percentile. The percentiles (or exceedance probability) for each year type are described below:

<u>Water-year type</u>	<u>Percentile range (exceedance probability)</u>
Wet	0% to and including 25%
Wet-Normal	over 25% to and including 41.7%
Normal-Normal	over 41.7% to and including 58.3%
Dry-Normal	over 58.3% to and including 75%
Dry	over 75% to and including 100%

The initial values for determining water year types are listed below. These values may be updated in accordance with the percentile ranges (exceedance probability) listed above to incorporate the most recent data. At least the most recent 100 years of data must be included in the calculation. Mean daily flows (MDF) shall be used to calculate the mean annual flow of the water year starting October 1 of each year and ending September 30 of the succeeding year. If the licensee intends to use updated flow rates, the new rates must be declared in writing to the State Water Board by January 1 of the first year they will be utilized. Any revised flow rates shall remain in effect until updated with more recent data.

<u>Water-year type</u>	<u>Mean Daily Flow Rate at USGS Gage 11152000 (Arroyo Seco near Soledad) on March 15 or April 1</u>
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Wet	250 cubic feet per second (cfs) or higher
Wet-Normal	152 cfs or higher but less than 250 cfs
Normal-Normal	104 cfs or higher but less than 152 cfs
Dry-Normal	66 cfs or higher but less than 104 cfs
Dry	less than 66 cfs

(0140400)

Flow Prescription for Adult Steelhead Upstream Migration

From February 1 to and including March 31, during all year types, and when the criteria below is met, licensee shall maintain an MDF of 260 cfs at USGS gage No. 11152300 (Salinas River near Chualar) using reservoir releases when necessary to augment natural flow. This requirement is triggered when all four of the criteria below are met simultaneously.

Trigger Criteria for Adult Steelhead Upstream Migration Flow

1. Combined storage of Nacimiento and San Antonio Reservoirs is greater than 220,000 acre-feet.
2. An MDF at USGS gage No. 11152000 (Arroyo Seco near Soledad) greater than or equal to 340 cfs.
3. An MDF at USGS gage No. 11152050 (Arroyo Seco below Reliz Creek) greater than or equal to 173 cfs.
4. Hydraulic continuity in the Salinas River exists to the Pacific Ocean.

During wet or dry years, and once all the criteria are met, the 260 cfs MDF requirement remains effective through March 31 unless condition 4 above ceases to exist.

For any of the three normal year types, from January 1 to and including March 31, the 260 cfs MDF requirement must be maintained such that on a 10-year average the number of upstream passage days (days with at least 260 cfs MDF at USGS gage No. 11152300 (Salinas River near Chualar)) listed below will be achieved within a 10% variance. For example, the average number of passage days for all of the dry-normal years within a 10-year period must be at least 14 (16 days average minus variance of 2). At least 5 consecutive days with flow of at least 260 cfs MDF must occur for a flow period to credit towards the total for each year. The year type for the purpose of determining the number of passage days must be determined on March 15 or April 1 using the Criteria for Determining Water Year Type listed above.

<u>Water-year type</u>	<u>Upstream Fish Passage Days from January 1 to March 31</u>
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Wet-Normal	Average 73 days with variance of 7 days.
Normal-Normal	Average 47 days with variance of 5 days.
Dry-Normal	Average 16 days with variance of 2 days.

(0140400)

Flow Prescription for Downstream Migration of Smolting Steelhead

The licensee shall provide a single block-flow release (as described in Block-Flow Release Criteria below) from Nacimiento Reservoir and San Antonio Reservoir (under License 12624 [Application 16761]) to facilitate downstream migration of steelhead in the Salinas River in accordance with the event triggers described in the flow chart in Figure 1.

Block-Flow Release Criteria

A block-flow release consists of the natural flow in the Salinas River augmented by releases from Nacimiento and San Antonio dams to achieve the specified MDF for the specific number of consecutive days directed below.

Days 1 through 5: Maintain an MDF of at least 700 cfs at USGS gage No. 11151700 (Salinas River at Soledad).

Day 6 and beyond: Maintain an MDF of at least 300 cfs at USGS gage No. 11152500 (Salinas River at Spreckels).

The number of days the block-flow release must be maintained at the MDF of 300 cfs beyond Day 6 is determined by when Day 1 occurs. If Day 1 occurs between March 15 and April 1, then block flow must continue to April 20. If Day 1 occurs between April 2 and May 31, then block flow must continue for 15 more days (Day 6 through Day 20).

Starting after completion of the block-flow release, if the MDF at USGS gage No. 11152050 (Arroyo Seco below Reliz Creek) is greater than 1 cfs, maintain Salinas River surface flow to the ocean through 10 days after flow at USGS gage No. 11152050 initially drops below an MDF of 1 cfs.

(0140400)

Flow Prescription for Downstream Migration of Juvenile and Post Spawn Adult Steelhead

To protect fishery during periods when block-flow releases have not yet been initiated, follow the flow prescription described in the flow chart in Figure 2. From March 15 through May 31 continue to monitor for the initiation of block-flow. If the conditions to initiate block-flow occur, suspend the process in Figure 2 and follow the process in Figure 1.

(0140400)

Flow Prescription for Spawning and Rearing Habitat in the Nacimiento River

Licensee shall augment flow in the Nacimiento River by releasing 60 cfs MDF from Nacimiento Reservoir beginning the 8th day after the first adult steelhead passage day occurs on the Salinas River after January 1 of each year. The first passage day is the first day in a period of 5 consecutive days with an MDF of 260 cfs or higher at the USGS gage No. 11152300 (Salinas River near Chualar). The release of 60 cfs MDF will continue at least through May 31. After May 31, licensee will continue to release 60 cfs MDF the remainder of the calendar year as long as the water surface elevation of Nacimiento Reservoir is above 687.8 feet mean sea level.

(0140400)

Flow Prescription at the End of the Irrigation Season

Prior to lowering of the SRDF, the SRDF impoundment will be filled to its storage capacity and water will be allowed to pass from the impoundment to the lagoon at a rate of 2 cfs MDF (measured at the SRDF) until the impoundment is emptied. The rate may be increased if necessary to empty the impoundment in time to perform facility maintenance before river flows prevent maintenance work.

(0140400)

General Requirements for Flow Prescriptions

The above mentioned flow criteria are dependent on real time flow measurements from USGS stream gages subject to intermittent telemetry interruptions. To ensure compliance during such interruptions the licensee will use its ALERT system data supplemented with field observations by its own staff and/or USGS field personnel as required.

(0140400)

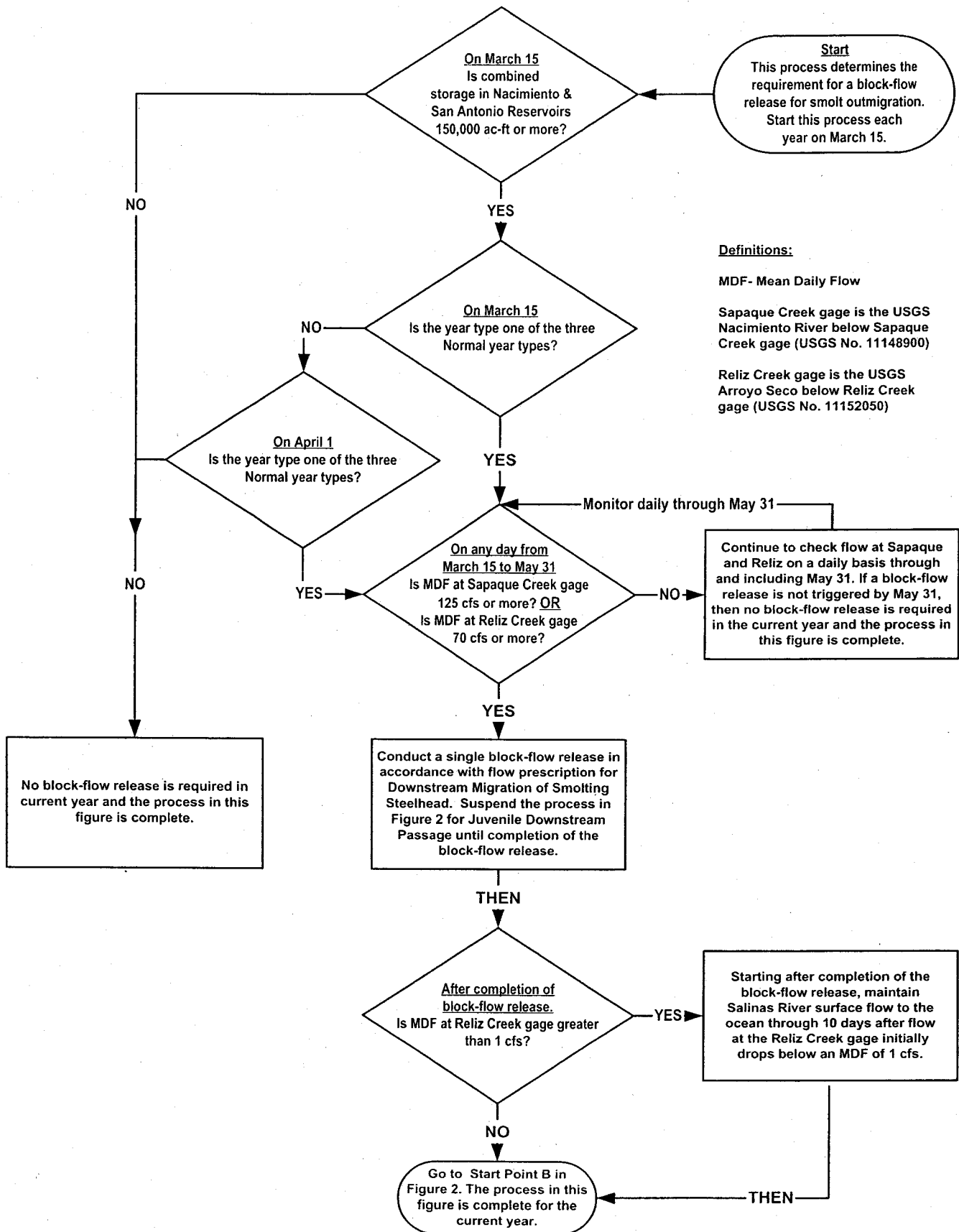


Figure 1 – Criteria to trigger block-flow release for downstream migration of smolting steelhead.

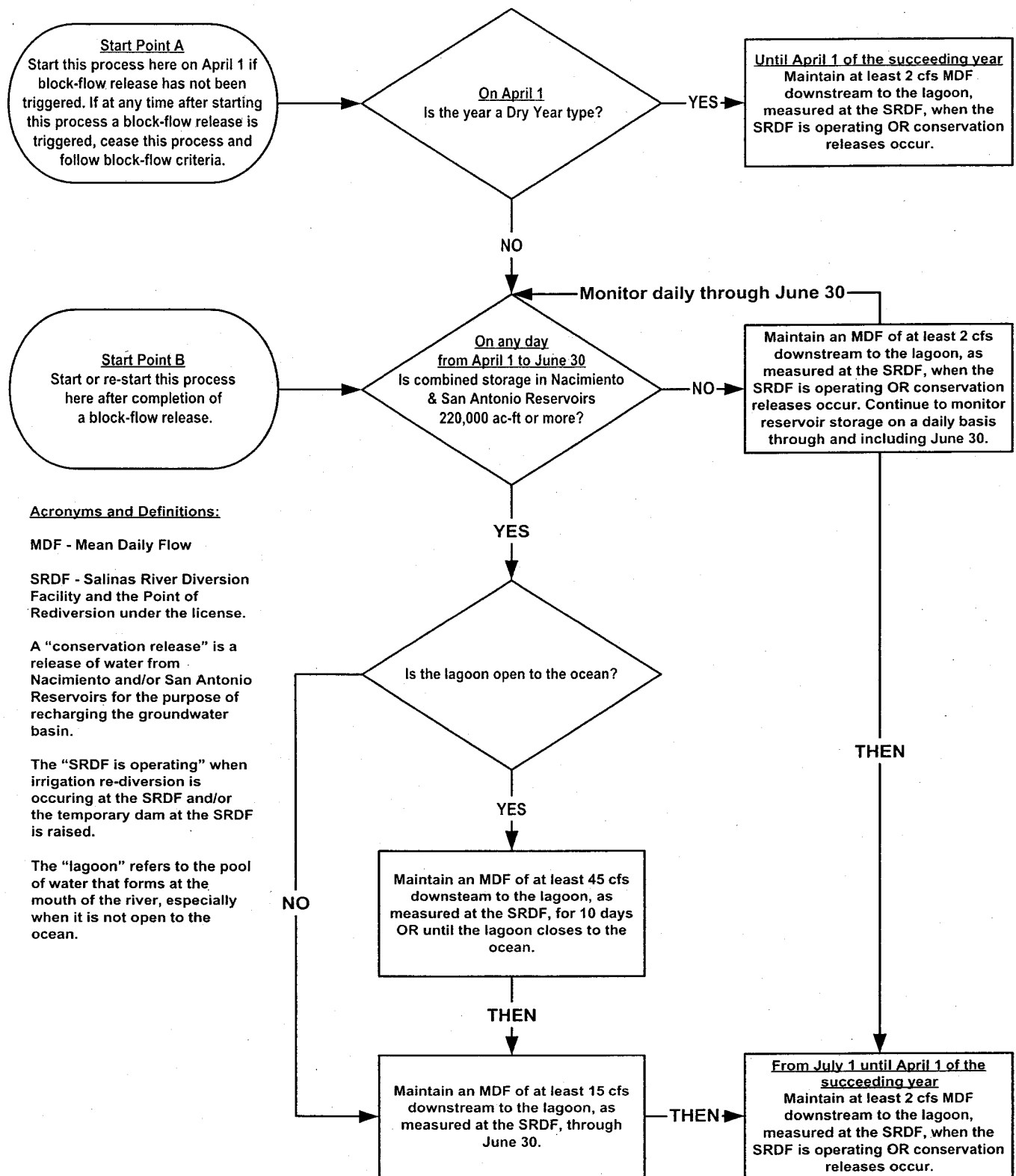


Figure 2 – Flow prescription to enhance downstream migration for juvenile steelhead when block-flow release has not been triggered.

In the event that any gage is no longer available for streamflow measurements, the licensee (or successors-in-interest) is responsible for installing and maintaining an equivalent gage, satisfactory to the Chief of the Division of Water Rights, as near as practicable to the present location of the current USGS gages. In the absence of such equivalent gages, all diversions must cease. These requirements shall remain in force as long as water is being diverted by the licensee (or successors-in-interest) under this license.

(0000204)

MCWRA shall consult with the Department of Fish and Game and National Marine Fisheries Service to develop a plan to monitor bass spawning at Nacimiento and San Antonio Reservoirs. The plan shall include measures regarding bass habitat management, as well as rate and duration of water releases from the reservoirs. MCWRA shall post annually, on its website, the monitoring plan, as well as an evaluation of the plan's effectiveness by the Department of Fish and Game. This information shall remain posted for at least five years.

(0140500)

MCWRA shall develop a riparian restoration plan for construction impacts at the SRDF site and submit for review and approval to California Department of Fish and Game and United States Fish and Wildlife Service. No restoration work shall commence until approvals are obtained and copies submitted to the Chief of the Division of Water Rights.

(0140500)

Nothing in this license shall be construed as authorizing any diversions contrary to the provisions of the following biological opinions, either as written as of the date of this license or as they may be amended:
1) United States Fish and Wildlife Service, July 24, 2007, Biological Opinion on Issuance of Department of the Army Permits to the Monterey County Water Resource Agency for Construction of a Surface Water Diversion Structure in the Salinas River, Near the City of Salinas (Corps File Number 24976S) and for Breaching of the Salinas River Lagoon (Corps File Number 16798S) in Monterey County, California (1-8-06-F-54); and 2) National Marine Fisheries Service, June 20, 2007, Biological Opinion.

(0140500)

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

Reports shall be filed promptly by the licensee on the appropriate forms which will be provided for the purpose from time to time by the State Water Board.

Licensee shall allow representatives of the State Water Board and other parties, as may be authorized from time to time by the State Water Board, reasonable access to project works to determine compliance with the terms of this license.

Pursuant to Water Code sections 100 and 275 and the common law public trust doctrine, all rights and privileges under this license, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the State Water Board may be exercised by imposing specific requirements over and above those contained in this license with a view to eliminating waste of water and to meeting the reasonable water requirements of licensee without unreasonable draft on the source. Licensee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this license and to determine accurately water use as against reasonable water requirement for the authorized project. No action will be taken pursuant to this paragraph unless the State Water Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the State Water Board also may be exercised by imposing further limitations on the diversion and use of water by the licensee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the State Water Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution article X, section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust.

The quantity of water diverted under this license is subject to modification by the State Water Board if, after notice to the licensee and an opportunity for hearing, the State Water Board finds that such modification is necessary to meet water quality objectives in water quality control plans which have been or hereafter may be established or modified pursuant to division 7 of the Water Code. No action will be taken pursuant to this paragraph unless the State Water Board finds that: (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges.

This license does not authorize any act which results in the taking of a threatened or endangered species or any act which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code sections 2050 to 2097) or the federal Endangered Species Act (16 U.S.C.A. sections 1531 to 1544). If a "take" will result from any act authorized under this water right, the licensee shall obtain authorization for an incidental take prior to construction or operation of the project. Licensee shall be responsible for meeting all requirements of the applicable Endangered Species Act for the project authorized under this license.

If construction or rehabilitation work is required for the diversion works covered by this license within the bed, channel, or bank of the affected water body, the licensee shall enter into a streambed or lake alteration agreement with the State Department of Fish and Game. Licensee shall submit a copy of the agreement, or waiver thereof, to the Division of Water Rights prior to commencement of work. Compliance with the terms and conditions of the agreement is the responsibility of the licensee.

This license is granted and the licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the State Water Board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article (of the Water Code) and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefore shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

STATE WATER RESOURCES CONTROL BOARD

for James W. Kassel
Victoria A. Whitney, Chief
Division of Water Rights

Dated:

SEP 05 2008

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 16124 PERMIT 10137 LICENSE 7543

ORDER CORRECTING THE PLACE OF USE
AND AMENDING THE LICENSE

WHEREAS:

1. License 7543 was issued to Monterey County Flood Control and Water Conservation District (Monterey) on November 4, 1965, pursuant to Application 16124; and was recorded on November 5, 1965 with the County Recorder of San Luis Obispo County as Document No. 25779 in Volume 1373, Page 461; and on November 8, 1965 with the County Recorder of Monterey County on Reel 432, Page 983.
2. On June 3, 1966 a letter and petition was filed to expand the place of use "to include the entire territory of the San Luis Obispo County Flood Control and Water Conservation District."
3. On June 8, 1967, licensee filed a petition map with the State Water Resources Control Board (SWRCB) which shows the boundary of the San Luis Obispo County Flood Control and Water Conservation District as the place of use. The area amounts to approximately 2,000,000 acres.
4. On September 5, 1967 the SWRCB issued an order, which was recorded with the County Recorder of Monterey County on September 7, 1967 as document G 56108, Reel 521, Page 168. Within San Luis Obispo County Flood Control and Water Conservation District the order limited the place of use of License 7543 to a gross area of 1,040,590 acres.
5. Licensee's letter of June 3, 1966 and petition map filed on June 8, 1967 clearly indicate the intent of the place of use being the entire area comprising San Luis Obispo County, rather than a gross area of 1,040,590 acres, which apparently is the area of Zone 2 of the San Luis Obispo County Flood Control and Water Conservation District.
6. By letter dated November 9, 1993, the SWRCB was informed that licensee's name has been changed to the Monterey County Water Resources Agency.

7. The SWRCB has determined that said correction will not initiate a new right nor operate to the injury of any legal user of the water.
8. The continuing authority condition as contained in License 7543 should be updated to conform to Title 23 of the California Code of Regulations, Section 780(a).

NOW, THEREFORE, IT IS ORDERED THAT:

1. The license condition regarding the place of use be corrected to read:

Recreational use at Nacimiento Reservoir within San Luis Obispo County and irrigation, domestic, municipal, industrial and recreational uses within an area within Monterey County consisting of 200,000 acres net within a gross area of 240,000 acres.

Also use on an area within San Luis Obispo County consisting of a net area of 500 acres of irrigated agriculture and a net area of 7,000 acres of urban and suburban lands within the San Luis Obispo County Flood Control and Water Conservation District as shown on map filed June 8, 1967, with the SWRCB.

(0000004)

2. The license condition regarding the SWRCB'S continuing authority be amended to read:

Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this license including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the SWRCB in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

The continuing authority of the SWRCB may be exercised by imposing specific requirements over and above those contained in this license with a view to eliminating waste of water and to meeting the reasonable water requirements of licensee without unreasonable draft on the source. Licensee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the SWRCB determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the SWRCB also may be exercised by imposing further limitations on the diversion and use of water by the licensee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the SWRCB determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust.

(0000012)

Dated: **APRIL 8 1994**

Roger Shuman
for Edward C. Anton, Chief
Division of Water Rights

6

STATE WATER RIGHTS BOARD

ORDER

APPLICATION 16124PERMIT 10137LICENSE 7543ORDER ALLOWING CHANGE IN PLACE OF USE

WHEREAS License 7543 was issued to Monterey County Flood Control and Water Conservation District and was recorded with the County Recorder of Monterey County on November 8, 1965, at page 983, Volume 432, of the official records and with the County Recorder of San Luis Obispo County on November 5, 1965, at page 461, Volume 1373 of the official records, and

WHEREAS the State Water Rights Board has found that the change in place of use under said license for which petition was submitted on June 8, 1966, will not operate to the injury of any other legal user of water, and

WHEREAS the Board has approved and allowed said change and has directed that an order be issued to describe said place of use in accordance with said petition;

NOW THEREFORE IT IS ORDERED that permission be and the same is hereby granted to change the place of use under said License 7543 to a place of use described as follows, to wit:

RECREATIONAL USE AT NACIMIENTO RESERVOIR WITHIN SAN LUIS OBISPO COUNTY AND IRRIGATION, DOMESTIC, MUNICIPAL, INDUSTRIAL AND RECREATIONAL USES WITHIN AN AREA WITHIN MONTEREY COUNTY CONSISTING OF 200,000 ACRES NET WITHIN A GROSS AREA OF 240,000 ACRES.

ALSO USE ON AN AREA WITHIN SAN LUIS OBISPO COUNTY CONSISTING OF A NET AREA OF 500 ACRES OF IRRIGATED AGRICULTURE AND A NET AREA OF 7,000 ACRES OF URBAN AND SUBURBAN LANDS WITHIN SAN LUIS OBISPO COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT COMPRISING A GROSS AREA OF 1,040,590 ACRES AS SHOWN ON MAP FILED JUNE 8, 1967, WITH STATE WATER RIGHTS BOARD.

Dated: SEP 5 1967

L. K. Hill
L. K. Hill
Executive Officer

3



STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD
License for Diversion and Use of Water

APPLICATION 16124

PERMIT 10137 LICENSE 7543
Monterey County Flood Control and
Water Conservation District
P. O. Box 930
Salinas, California

THIS IS TO CERTIFY, That

has made proof as of August 6, 1964,
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of
Nacimientto River in San Luis Obispo County
tributary to Salinas River

for the purpose of irrigation, domestic, municipal, industrial and recreational uses
under Permit 10137 of the State Water Rights Board and that said right to the use of said water has been
perfected in accordance with the laws of California, the Rules and Regulations of the State Water Rights Board and the
terms of the said permit; that the priority of the right herein confirmed dates from November 4, 1954,
and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited
to the amount actually beneficially used for said purposes and shall not exceed three hundred fifty thousand
(350,000) acre-feet per annum to be collected from about October 1 of each year
to about July 1 of the succeeding year.

The maximum withdrawal in any one year has been 180,000 acre-feet.

The point of diversion of such water is located:

NACIMIENITO DAM

South fifty-eight degrees fifty-seven minutes twenty-eight seconds west
(S58° 57' 28"W) ten thousand eight hundred thirty-seven (10,837) feet from NW corner
of Section 12, T25S, R10E, MDB&M, being within NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 15, T25S, R10E,
MDB&M.

A description of the lands or the place where such water is put to beneficial use is as follows:

Recreational use at Nacimientto Reservoir within San Luis Obispo County and irrigation,
domestic, municipal, industrial and recreational uses within an area within Monterey
County Consisting of 200,000 acres net within a gross area of 240,000 acres as shown
on map filed with the State Water Rights Board.

Licensee shall maintain such records of stream flow, well levels and storage as are
required by the State Water Rights Board so as to determine the amount stored under-
ground and extracted thereafter, and such records shall be submitted to the Board on
request.

This License is subject to the agreement dated October 19, 1959, between San Luis
Obispo County Flood Control and Water Conservation District and Monterey County Flood
Control and Water Conservation District.

All rights and privileges under this license including method of diversion, method of use and quantity of water
diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the
interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of
diversion of said water.

Reports shall be filed promptly by licensees on appropriate forms which will be provided for the purpose from time
to time by the State Water Rights Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein
specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

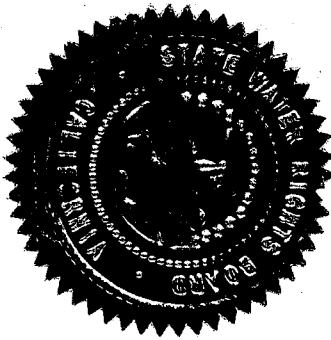
Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: NOV 4 1965



L. K. Hill
L. K. HILL
Executive Officer

LICENSE 7543
STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

LICENSE
TO APPROPRIATE WATER

Monterey County Flood Control
and Water Conservation District

NOV 4 1965

DATED

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